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Attorneys for Defendant Deutsche Bank National Trust Company,
as Trustee under Pooling and Servicing Agreement dated as of March 1, 2007
Securitized Asset-Backed Receivables, LLC Trust 2007-BR1
Mortgage Pass-Through Certificates, Series 2007-BR1

UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF CALIFORNIA- SANTA ROSA DIVISION

In re Ralph Yulfo, Jr. and Denise L. Yulfo,

Debtor.

Ralph Yulfo and Denise L. Yulfo,

Plaintiff(s),

v.

Deutsche Bank National Trust Company,

Defendant(s).

) Bankruptcy Case No. 10-11764

) Chapter 13

) Adv. Pro. Case No. 10-01072

) HON. ALAN JAROSLOVSKY

) **NOTICE OF DEFENDANT'S**
) **OPPOSITION TO PLAINTIFFS'/**
) **DEBTORS' EX PARTE APPLICATION**
) **FOR ISSUANCE OF ORDER TO SHOW**
) **CAUSE RE: TEMPORARY**
) **RESTRAINING ORDER AND**
) **PRELIMINARY INJUNCTION;**
) **CONCISE STATEMENT OF RELIEF**
) **SOUGHT (PURSUANT TO B.L.R. 9013-1**
) **(b) (2)); MEMORANDUM OF POINTS**
) **AND AUTHORITIES IN SUPPORT**
) **THEREOF**

) *[Request for Judicial Notice Being Filed*
) *Concurrently Herewith and in Support*
) *Hereof]*

) DATE: July 9, 2010

) TIME: 9:30 a.m.

) PLACE: 99 South E. St.
) Santa Rosa, CA

NOTICE OF DEFENDANT'S OPPOSITION TO PLAINTIFFS'/DEBTORS' EX PARTE APPLICATION FOR ISSUANCE OF
ORDER TO SHOW CAUSE RE: TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION

1 **TO THE HONORABLE COURT, DEBTORS RALPH YULFO AND DENISE YULFO**
2 **AND/OR THEIR ATTORNEYS OF RECORD, AND TO ALL OTHER INTERESTED**
3 **PARTIES AND/OR THEIR ATTORNEYS OF RECORD:**

4 **PLEASE TAKE NOTICE** that Defendant Deutsche Bank National Trust Company, as
5 Trustee under Pooling and Servicing Agreement dated as of March 1, 2007 Securitized Asset-
6 Backed Receivables, LLC Trust 2007-BR1 Mortgage Pass-Through Certificates, Series 2007-
7 BR1("Deutsche Bank as Trustee" and/or "Defendant"), erroneously named as Deutsche Bank
8 National Trust Company, hereby submits this Opposition to Plaintiffs Ralph Yulfo and Denise
9 Yulfo's ("Plaintiffs", "Debtors", and/or "Yulfos") Ex Parte Application for Issuance of Order to
10 Show Cause Re. Temporary Restraining Order and Preliminary Injunction ("Ex Parte
11 Application").
12

13 Plaintiffs' ex parte application should be denied because:

- 14 1. Plaintiff have failed to establish a sufficient showing of immediate or irreparable
15 injury, particularly considering that the protection Plaintiffs seek is one for which
16 they are ultimately responsible, and even more, considering that the alleged reason
17 for requiring ex parte relief has been foreseeable for many months;
18
- 19 2. Plaintiffs are not likely to prevail on the merits; and
- 20 3. Plaintiffs' Ex Parte Application fails to comply with Local Bankruptcy Rules
21 ("B.L.R.).

22 This opposition is based on this notice, the concise statement of facts being filed
23 concurrently herewith in compliance with B.R.R. Rule 9014-1(b)(2), and the memorandum of
24 points and authorities being filed concurrently herewith and in support hereof, upon all papers
25 and documents on file herein, the Court's files concerning this action, together with those facts
26
27

1 and documents of which judicial notice is proper, as well as any oral argument that may be
2 presented at the time of the hearing.

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5 Respectfully Submitted,

6 Dated: July 7, 2010

HOUSER & ALLISON, APC

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8 By: /s/ Eric D. Houser

9 Eric D. Houser, Esq.

10 Jason K. Boss, Esq.

11 Attorneys for Defendants, Deutsche Bank
12 National Trust Company, as Trustee under
13 Pooling and Servicing Agreement dated as
14 of March 1, 2007 Securitized Asset-Backed
15 Receivables, LLC Trust 2007-BR1
16 Mortgage Pass-Through Certificates, Series
17 2007-BR1
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